

REMARKS

Claims 1-17 are pending in this application. Claims 1, 4, 13 and 17 are independent. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the claimed invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-3, 6-12 and 17 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being obvious over Noguchi et al. (USP 4,978,980); and rejected claims 4-5 and 13-16 under 35 U.S.C. § 103(a) as being unpatentable over Noguchi et al. in view Yasui et al. (USP 5,839,032). Applicants respectfully traverse these rejections.

Claim Rejections

In the Notice of Panel Decision, the Examiner indicated that he was taking a broad interpretation of "synchronism" by indicating that one roller can start before the other roller and they can still synchronize with each other.

By this amendment, Applicants have amended claim 1 to recite, *inter alia*, **wherein the controller resumes a rotation of the intermediate roller and a rotation of the resist roller so that the intermediate roller and the resist roller start at the same time to transfer the sheets to the second sheet-transferring path and the first sheet-transferring path, respectively.** As can be seen from the amended claim language, the controller resumes a rotation of the intermediate roller and the resist roller so that the two rollers **start at the same time** to transfer the sheets to the second sheet transferring path and the first sheet transferring path, respectively.

In contrast, Noguchi et al. discloses a control method for a both-surface/multiplex recording apparatus. Noguchi et al. does not provide **any** explanation of roller 504. Further, Noguchi et al. does not describe any **resumption** of the rotation of the resist roller and further, does not provide any discussion as to the timing of the starting of the rollers in question. Noguchi discloses improving throughput by providing two transferring speeds, not by synchronizing the resumption of rotation of rollers.

Further, as previously noted on the record, there is no disclosure in Noguchi that is directed to rollers 404 or 504. The control of the paper through the device is controlled by the forward and reverse conveying means and adjusting the velocity of the transfer of the recording mediums. There is no disclosure that is directed to the controller controlling the starting of rollers, as recited in amended claim 1.

Applicants maintain that Noguchi et al. fails to teach or suggest, either explicitly or inherently, all of the claim elements as recited in amended claim 1 and thus claim 1 is not anticipated by, nor patentable over, Noguchi et al. It is respectfully submitted that the outstanding rejection should be withdrawn.

For all of the reasons set forth above, Applicants maintain that claim 1 is patentable over the reference as cited. It is respectfully requested that the outstanding rejection be withdrawn.

Claims 2-3, 5-8 and 12 are allowable for the reason set forth above with regard to claim 1 at least based on their dependency on claim 1. Claims 4, 13 and 17 include elements similar to elements discussed above with regard to claim 1 and these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: July 3, 2008

Respectfully submitted,

By

Terrell C. Birch

Registration No.: 19,382

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

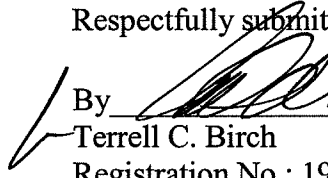
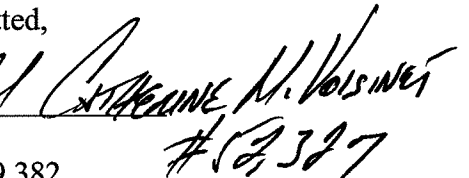
Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicants

 
#52327